



General Assembly

February Session, 2002

Raised Bill No. 5547

LCO No. 1769

Referred to Committee on Finance, Revenue and Bonding

Introduced by:
(FIN)

***AN ACT CONCERNING TREASURY BILL RATE REFERENCES FOR
EMINENT DOMAIN PURPOSES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 37-3c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The judgment of compensation for a taking of property by eminent
4 domain shall include interest at a rate that is reasonable and just on the
5 amount of the compensation awarded. If a court does not set a rate of
6 interest on the amount of compensation awarded, the interest shall be
7 calculated as follows: (1) If the period for which interest is owed does
8 not exceed one year, interest shall be calculated from the date of taking
9 at an annual rate equal to [the coupon issue yield equivalent, as
10 determined by the Secretary of the Treasury of the United States, of the
11 average accepted auction price for the last auction of fifty-two-week
12 United States treasury bills settled immediately prior to] the weekly
13 average one-year constant maturity yield, as published by the Board of
14 Governors of the Federal Reserve System, for the calendar week
15 preceding the date of taking; and (2) if the period for which interest is
16 owed exceeds one year, interest for the first year shall be calculated

17 pursuant to the provisions of subdivision (1) of this section and
 18 interest for each additional year shall be calculated on the combined
 19 amount of principal, which is the amount by which the compensation
 20 award exceeds the original condemnation deposit, plus accrued
 21 interest at an annual rate equal to [the coupon yield equivalent, as
 22 determined by the Secretary of the Treasury of the United States, of the
 23 average accepted auction price for the last auction of fifty-two-week
 24 United States treasury bills settled immediately prior to] the weekly
 25 average one-year constant maturity yield, as published by the Board of
 26 Governors of the Federal Reserve System, for the calendar week
 27 preceding the beginning of each year for which interest is owed. Such
 28 judgment shall not include interest on any funds deposited by the
 29 condemnor as compensation for the taking for the period after such
 30 deposited funds become available for withdrawal by the condemnee.
 31 The interest shall accrue from the date of taking to the date of
 32 payment.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

Statement of Purpose:

To provide an updated calculation for interest owed on certain eminent domain awards.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]